

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DAVID BISACCA	:	CIVIL ACTION
	:	
Plaintiff,	:	No. 21-00333
	:	
v.	:	
	:	
JMP LOGISTICS, INC.	:	
and	:	
AMAZON LOGISTICS, INC.	:	
	:	
Defendants.	:	
	:	

**STIPULATION AND CONSENT MOTION TO STAY PROCEEDINGS TO ALLOW  
FOR ARBITRATION OF CLAIMS**

Plaintiff and Defendants, by and through their undersigned counsel, hereby STIPULATE and AGREE:

1. This matter should commence binding arbitration before the American Arbitration Association (“AAA”), raising substantially the same allegations as the Complaint in this action.
2. Pursuant to 9 U.S.C. § 3, this matter shall be stayed during arbitration proceedings, with the Court retaining jurisdiction pending the arbitration. *See Lloyd v. HOVENSA, LLC.*, 369 F.3d 263, 269 (3d Cir. 2004).
3. For statute of limitations purposes, the filing date of the Complaint in this action will be treated as the filing date of the arbitration.
4. The Parties have consented to the use of electronic signatures on this Stipulation.
5. Accordingly, the Parties respectfully request that this Court stay and retain jurisdiction over the instant judicial proceedings to allow the parties to resolve Plaintiff’s claims against Defendants through binding arbitration by a neutral third-party arbitrator pursuant to the Parties’ written arbitration agreement.

**WHEREFORE**, Plaintiff and Defendants respectfully request that this Court grant the instant request and stay and retain jurisdiction over the judicial proceedings to allow for the arbitration of Plaintiff's claims.

Respectfully submitted,

/s/ Adam C. Lease

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*Attorneys for Defendant  
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Date: June 9, 2021

The foregoing stipulation is hereby approved by ORDER of the Court this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Hon. David Stewart Cercone, U.S.D.J.